

1. KENNARD LEE DAVIS #T-78448  
 2. (CMC) STATE PRISON  
 3. P.O. BOX 8101

**FILED**

4. SAN LUIS OBISPO, CA. 93409-8101

SEP 20 2024

5.

CLERK U.S. DISTRICT COURT  
 EASTERN DISTRICT OF CALIFORNIA  
 BY   
 DEPUTY CLERK

6.

7. UNITED STATES DISTRICT COURT  
 8. EASTERN DISTRICT OF CALIFORNIA  
 9. FRESNO DIVISION

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11.

12. PLAINTIFF	CASE NO. 1:21-CV-01657-TJT-148K 13. PLAINTIFF 14. PLAINTIFF 15. PLAINTIFF 16. PLAINTIFF 17. PLAINTIFF 18. PLAINTIFF 19. PLAINTIFF 20. PLAINTIFF	PAUSE NOTICE AND MOTION OF (WOULD BE INTERVENOR) TRANSFER TO THE MENTAL HEALTH CRISIS BED UNIT AT (CMC) CALIFORNIA MENS COLONY STATE PRISON AND TEMPORARY INSTITUTION PLACEMENT. REQUEST FOR EQUITABLE TOLLING TO FILE OBJECTION (30) THIRTY DAYS; SEE, LOTT V. MUELLER 304 F.3d 918, 924 (9TH CIR. 2003)
21. DEFENDANT	TO: UNITED STATES DISTRICT COURT JUDGE: TERRI L. THORPTON 22. EASTERN DISTRICT OF CALIFORNIA 23. I, (Kennard Lee Davis), would be INTERVENOR with now move this Honorable 24. COURT FOR (PAUSE) NOTICE AND MOTION OF (WOULD BE INTERVENOR) TRANSFER TO THE 25. MENTAL HEALTH CRISIS BED UNIT AT (CMC) AND TEMPORARY INSTITUTION PLACEMENT 26. OR HOUSING. REQUEST FOR EQUITABLE TOLLING TO FILE OBJECTIONS (30) THIRTY DAYS. 27. AUTHORITY: BILLS V. CLARK 628 F.3d 1092, 1099 (9TH CIR. 2010) 28. DATE: SEPTEMBER 18, 2024	(1) KENNARD LEE DAVIS PAUSE (WOULD BE INTERVENOR)

1. DECLARATION

2. I, [KENNARD LEE DAVIS], PROSE (WOULD BE INTERVIEWER) IN THE NO.  
3. MENTIONED ENTITLED CASE AND PROSE DEPOSE AND DECLARE THAT I  
4. AM THE UNDERSIGNER AND STATE AS FOLLOWS: I HAVE SAFETY CONCERN  
5. #1. THAT ON FRIDAY SEPTEMBER 6, 2024, WHILE I WAS HELD, OR  
6. INCARCERATED AT (SVSP) SISKIYOU VALLEY STATE PRISON, I WAS PLACED IN  
7. BUT UNDER MENTAL HEALTH DOCTOR'S ORDER'S. I WAS THEN TRANSFERRED TO  
8. CALIFORNIA MENS COLONY STATE PRISON (CMC). I WAS PLACED, OR  
9. INCARCERATED IN THE MENTAL HEALTH CRISIS BED UNIT LOCATED AT  
10. (CMC) P.O. BOX 8101, SAN LUIS OBISPO, CA. 93409-8101 FOR SAFETY CONCERN  
11. #2. THAT SINCE FRIDAY SEPTEMBER 6, 2024, MY LEGAL AND  
12. PERSONAL PROPERTY HAVE BEEN TAKEN AWAY, CONFISCATED, AND/OR  
13. DESTROYED. THAT I HAVE NO ACCESS TO THE INMATE LAW LIBRARY.  
14. I HAVE BEEN DENIED MY INCOMING CONFIDENTIAL, OR LEGAL MAIL  
15. LETTERS. I HAVE BEEN PLACED IN MENTAL HEALTH ISOLATION STATUS.  
16. WHICH IS VIRTUALLY AN ISOLATION ROOM WITH A TOILET, MATTRESS, AND SINK.  
17. #3. AS OF SUNDAY SEPTEMBER 15, 2024, I AM UNAWARE OF MY  
18. POTENTIAL DISCHARGE DATE FROM (CMC) MENTAL HEALTH CRISIS BED  
19. UNIT, AND/OR MENTAL HEALTH ISOLATION STATUS, OR WHEN I WILL  
20. BE RESTATED WITH ACCESS TO MY LEGAL AND PERSONAL PROPERTY.  
21. ACCESS TO AN INMATE LAW LIBRARY, OR ACCESS TO AN INMATE TABLET DEVICE.  
22. I DO NOT KNOW, OR UNSURE WHAT IS THE DIRECT COURT ADDRESS.  
23. #4. ON SEPTEMBER 11, 2024, THIS ENTITLED COURT RULED/DECIDED  
24. OR RENDERED JUDGMENT ON CHANDLER ET, AL, V. MACOMBER ET, AL (2024) U.S. CI  
25. KEWIS NO. 163558, DECLARANT/PLAINTIFF REQUEST EQUITABLE TOLLING (30) THIRTY DAYS TO REP.  
26. AUTHORITIES: LAWS V. LAMARQUE 351 F.3d 919, 922 (9TH CIR. 2003)  
27. I DECLARE UNDER THE LAWS OF PERjury THAT THE ABOVEMENTED IS TRUE AND CORRECT.  
28. DATE: SEPTEMBER 15, 2024 (2) Kennard Lee Davis  
DECLARANT/PLAINTIFF (WOULD BE INTERVIEWED)